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REMARKS

In the Office Action mailed April 7, 2005, the Examiner withdrew the restriction requirement of December 16, 2004. In withdrawing the restriction and rejoining all of the claims, the Examiner stated that "claims 1, 9, 16 and 21 are related to the same invention for a molded bobbin having a single flange to maintain a uniform gap between a pair of ferrite cores." While Applicant agrees that the claims are directed to the same invention, limitations from one claim cannot be read into another and each independent claim is indeed independent. The patentability of the present claims lies in each individual claim. The individual independent claims cannot collectively be summarized in a single statement.

Claims 1-22 are pending in the present application. The Examiner rejected claims 9-15 under U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner next rejected claims 1-2, 5, and 8 under 35 U.S.C. §102(e) as being anticipated by Kataoka (JP 08-203754). Claims 3-4 and 21-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kataoka in view of Nakano (JP 55-105310). Claims 7, 14, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kataoka, and further in view of Leuck et al. (USP 3,665,358). Claims 9-12 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tobben et al. (USP 4,596,974).

The Examiner rejected claims 9-15 under 35 U.S.C. §112, second paragraph as being indefinite stating that "[c]laim 9 lack [sic] sufficient structure to support the functional language of 'to maintain a constant gap between the pair of ferrite cores'." Applicant respectfully disagrees.

Claim 9 calls for, in part, a bobbin having an embossed flange to maintain a constant gap between a pair of ferrite cores. MPEP §2173.02 states that "[t]he essential inquiry pertaining to [the 35 U.S.C. §112, second paragraph] requirement is whether the claims set out and circumscribe a particular subject matter with a reasonable degree of clarity and particularity" and further that the "[d]efiniteness of claim language must be analyzed, not in a vacuum, but in light of: (A) the content of the particular application disclosure; (B) the teachings of the prior art; and (C) the claim interpretation that would be given by one possessing the ordinary level of skill in the pertinent art at the time the invention was made." (Emphasis in original)

MPEP §2171 sets forth two requirements for satisfying 35 U.S.C. §112, second paragraph. The first requirement is that the claims must set forth the subject matter that Applicant regards as his invention and the second requirement is that the claims must particularly point out and distinctly define the metes and bounds of the subject matter that will be protected

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by the patent grant. "The second requirement is an objective one because it is not dependent on the views of applicant or any particular individual, but is evaluated in the context of whether the claim is definite – i.e., whether the scope of the claim is clear to a hypothetical person possessing the ordinary level of skill in the pertinent art." MPEP §2171 As shown in Fig. 3, bobbin 32 has a flange 40 having an embossed portion 48. As shown in Fig. 2, when assembled, embossed flange 40 maintains a constant gap between cores 28 of inductor assembly 26. Claim 9 calls for a set of elements that are clearly set forth and are clearly shown in Figs. 2 and 3. Those elements perform the stated function. Accordingly, the Examiner's rejection to claims 9-15 under 35 U.S.C. §112, second paragraph is unsustainable and Applicant respectfully requests withdrawal thereof.

The Examiner next rejected claims 1-2, 5, and 8 under 35 U.S.C. §102(e) as being anticipated by Kataoka stating that "Kataoka discloses a bobbin [figures 13-14] for an induction device...." In setting forth the rejection, the Examiner has inserted citations to figures 13 and 14 of Kataoka and the part numbers shown therein into text representative of claim 1. The Examiner has made no reference to the translated Abstract of Kataoka. As stated in the Abstract of Kataoka, the "purpose [is] to provide an electromagnetic device [...] composed of three separate bodies of a core, a bobbin, and a spacer...." (Emphasis added) Kataoka further states that "an electromagnetic device can be provided, which is constituted of three pieces of separate bodies of the core 1, the bobbin 2, and the spacer 3 and also which can improve the assembly work efficiency with a small dispersion of inductance." (Emphasis added)

Claim 1 calls for, in part, a bobbin having a molded body having a first end, a second end, and a single flange constructed to directly engage a pair of ferrite cores such that a uniform gap is formed between the pair of ferrite cores. That is, the molded bobbin body includes a first end, a second end, and a flange. The Examiner's interpretation of Figs. 13 and 14 of Kataoka directly contradicts that which is disclosed in the Abstract of Kataoka. That is, the Abstract discloses that the invention of Kataoka includes a bobbin, a core, and a spacer wherein the components are "three pieces of separate bodies." As such, Kataoka does not disclose, teach, or even suggest a molded bobbin having a flange constructed to maintain a uniform gap between a pair of cores as called for in claim 1.

Furthermore, MPEP §706.02 requires that "[i]f the document is in a language other than English and the examiner seeks to rely on that document, a translation must be obtained so that the record is clear as to the precise facts the examiner is relying upon in support of the rejection." (Emphasis added). The Examiner has relied solely on the drawings of Kataoka but the translated portions appear to contradict the Examiner's interpretation of the drawings. The Abstract of Kataoka clearly discloses that the bobbin, the cores, and the spacer disclosed therein are three

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separate bodies. That is, the bobbin does not comprise a molded body having a single flange centrally disposed between a first and a second end thereof as called for in claim 1. As such, should the Examiner maintain any of the rejections based solely, or in part, on Kataoka, Applicant hereby requests the Examiner provide an English translation of the full text of the reference.

The Examiner next rejected claims 3-4 and 21-22 under 35 U.S.C. §103(a) as being unpatentable over Kataoka in view of Nakano stating that "Kataoka discloses the instant claimed invention except for the specific structure of the embossed surface" and that "Nakano discloses a bobbin [5] for an induction device comprising at least one flange [6] having at least one surface with embossed surface [6a, 6b] configured to engage a pole piece of a ferrite core." Applicant respectfully disagrees.

This rejection of claim 21 is based on a combination of two non-translated foreign documents. Applicant previously requested a translation of Nakano in the Response of September 3, 2004. Without a translation thereof, the Examiner has combined Nakano with the non-translated foreign reference Kataoka. As discussed above, the Examiner has asserted an interpretation of the figures of Kataoka which directly contradicts the disclosure of the translated portions thereof. The Examiner's interpretation of figures of Kataoka is not supported by the text of the reference.

The Examiner further states that "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to use the embossed surface design of Nakano in the flange surface of Kataoka for the purpose of supporting the pole of the ferrite cores." Applicant respectfully disagrees.

Claim 21 calls for a bobbin having a molded body with a single flange centrally disposed between a pair of ends. Such a bobbin construction is not taught or suggested by the combination of references nor do the references provide the requisite motivation of the suggested combination. As such, at least for those reasons set forth above, claim 21 is patentably distinct over the art of record.

The Examiner next rejected claims 6, 9-13, 15-16, and 18-20 under 35 U.S.C. §103(a) over Kataoka in view of Nakano and Tobben et al. stating that "Kataoka in view of Nakano discloses the instant claimed invention except for the specific spring clips." Applicant respectfully disagrees.

Claim 9 calls for, in part, a plastic bobbin having an embossed flange to maintain a constant gap between a pair of ferrite cores. Again, as argued above, the Examiner's interpretation of that which is disclosed in Kataoka and Nakano is simply not supported by the translated portions thereof. Claim 9 further calls for a pair of securing devices oriented

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transversely to the pair of ferrite cores to secure the pair of ferrite cores to the plastic bobbin. The Examiner states that "Tobben et al. discloses ... a pair of spring clips (49) designed to engage projections (65) on the bobbin" and that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to use spring clips ..., as suggested by Tobben et al., for the purpose of securing the ferrite cores to the bobbin." The Examiner further states that "[t]he specific orientation of the spring clips would have been an obvious design choice since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art." The Examiner cites to a 1931 case, *In Re Einstein*, 8 U.S.P.Q. 167, for support for such a proposition. However, Applicant believes the Manual of Patent Examining Procedure, Eighth Edition, Incorporating Revision No. 2 would be a more current resource to clarify the issue.

Contrary to the Examiner's assertion, MPEP §2144.04.VI.C states that "[t]he mere fact that a worker in the art could rearrange the parts of the reference device to meet the terms of the claims ... is not by itself sufficient to support a finding of obviousness." MPEP §2144.04.VI.C further states that "[t]he prior art must provide a motivation or reason for the worker in the art, without the benefit of appellant's specification, to make the necessary changes in the reference device." Citing *Ex parte Chicago Rawhide Mfg. Co.*, 223 USPQ 351, 353 (Bd. Pat. App. & Inter. 1984). (Emphasis added). As shown in Fig. 3 of Tobben et al., rotating clip 67 such that the clip is transverse to core 55 would result in the non-engagement of the apertures 63 of clip 67 with the projections 65 of coil former 1,3. Additionally, such an orientation would result in one of rectangular ends 61 of clip 67 interfering with connection pins 29 of the device. That is, the Examiner's suggested combination would result in an assembly wherein the spring clip does not secure the core to the coil former and an assembly wherein the spring clip interferes with the connection of the coil former to an electrical component. As such, a person of ordinary skill in the art would readily appreciate that the combination suggested by the Examiner would render the assemblies of Kataoka, Nakano, and Tobben et al. unsuitable for their intended purpose. That is, the assembly suggested by the Examiner would not secure the cores to the assembly and would interfere with the connection of the device with an electrical system. For all of the reasons set forth above, claim 9 is believed to patentably define over the art of record.

Claim 16 calls for, in part, a molded bobbin having a centrally positioned flange configured to engage opposing faces of a pair of ferrite cores so as to maintain a uniform separation between the pair of ferrite cores and a pair of spring clips to secure the pair of ferrite cores to the molded bobbin. The Examiner's interpretation of Kataoka contradicts the Abstract thereof. Furthermore, as shown in Fig. 14 of Kataoka, part 6c does not extend beyond the cores

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7. As such, assuming arguendo that the spring clips of Tobben et al. were combinable with the assembly of Kataoka, the spring clips would only engage the cores and could not engage the bobbin as no portion of the bobbin between the cores extends beyond the cores. That is, the spring clips simply would not secure the cores to the bobbin as no portion of the bobbin of Kataoka is accessible to the clips. Such a construction would result in the cores falling from the assembly. The art of record fails to teach or suggest the Examiner's combination and renders such a combination unsuitable for its intended purpose, i.e. securing a pair of cores to a bobbin assembly. At least for the reasons set forth above, claim 16 is patentably distinct over the art of record.

The Examiner rejected claim 9 under 35 U.S.C. §103(a) as being unpatentable over Tobben et al. stating that Tobben et al. discloses an inductor assembly having a "plastic bobbin [3], the bobbin having an embossed flange [figure 3]; a constant gap between the pair of ferrite cores; and a pair of spring clips [67]" and that "Toben et al. [sic] discloses the instant claimed invention except for the specific arrangement of the pair of spring clips." Applicant respectfully disagrees.

Claim 9 calls for, in part, a bobbin having an embossed flange to maintain a constant gap between a pair of ferrite cores. That is, the bobbin has a flange which maintains a gap between the cores. The Examiner asserts that such a flange is shown in figure 3 of Tobben et al. Considering there is only one core shown in Fig. 3 of Tobben et al., there is no suggestion or teaching in the figures of Tobben et al. that the bobbin include a flange to maintain a constant gap between a pair of cores. In fact, Tobben et al. states that "[t]he ends of the corresponding limbs of the two core parts touch each other after the core parts have been entirely inserted into the coil formers 1,3 so that a closed magnetic circuit is formed." Col. 3, lns. 64-68. That is, in one embodiment the ends of the cores contact one another. In another embodiment Tobben et al. discloses that "one of the [core] limbs may be chosen to be slightly shorter than the other so that an air gap of predetermined dimensions is formed." Col. 3, ln. 68 to col. 4, ln. 2. That is, it is the construction of the core, i.e. a shorter limb, that forms the air gap between the limbs of the cores. Neither embodiment teaches or suggests that the bobbin include an embossed flange to maintain a constant gap between the pair of ferrite cores as called for in claim 9.

Claim 9 further calls for a pair of securing devices oriented transversely to the pair of ferrite cores to secure the ferrite cores to the bobbin. As argued above, Tobben et al. does not teach, suggest, or disclose an inductor assembly having such a construction. Orienting the clip 67 shown in Fig. 3 of Tobben et al. such that it is transverse to core 55 would result in the non-engagement of the apertures 63 of clip 67 with the projections 65 of coil former 1,3. That is, the

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clip would not be secured to the bobbin and would not secure the core thereto. Additionally, such an orientation would result in one of rectangular ends 61 of clip 67 interfering with connection pins 29 of the device. As such, a person of ordinary skill in the art would readily appreciate that the modifications suggested by the Examiner would render the assembly of Tobben et al. unsuitable for its intended purpose. That is, the construction suggested by the Examiner would not secure the cores to the assembly but would interfere with the connection of the assembly to a system. For all of the reasons set forth above, claim 9 is patentably distinct over the art of record.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. Regarding the Examiner's rejections of claims 2-8, 10-15, 17-20, and 22; these claims depend from claims that are believed to be otherwise patentably distinct over the art of record. Accordingly, claims 2-8, 10-15, 17-20, and 22 are believed to be patentably distinct over the art of record pursuant to the chain of dependency. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-22.

Applicant appreciates the Examiner's consideration of these Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



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